

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4482 of 2017**

Ashwarya Singh S/o Jogendra Singh, Aged About 19 Years R/o House No. I -5, Sirpur Bhavan P. W. D. Colony Police Station Civil Lines Raipur Chhattisgarh.

---- Petitioner**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Moudhapara, Raipur District Raipur Chhattisgarh

---- Respondent

For the Petitioner	:	Smt. Fouzia Mirza, Advocate.
For the Respondent/State	:	Shri Wasim Miyan, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****30.10.2017**

1. Heard.
2. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.95 of 2017, registered at Police Station – Moudhapara, Raipur, District Raipur, Chhattisgarh for the offence punishable under Sections 25(1)(a) and 29 of the Arms Act, 1959.
3. Learned counsel for the applicant submits that the applicant is a 19-year old boy and he is in jail since 13.04.2017. The applicant is innocent and has been falsely implicated in this case. His detention in jail is likely to affect his future life grooming. Even if the allegation against the applicant in this case taken as it is, the offences made out are under Section 25(1)(a) and 29 of the Arms Act, which are punishable and are triable by the Magistrate First Class and the main offence under Section 29 of the Arms

Act is punishable with imprisonment up to three years. Hence, for these reasons, it is prayed that the applicant be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

5. Heard counsel for both the parties and perused the case diary.

6. As per the case against the applicant, it is alleged that he procured a country-made pistol which was used by his friend/ deceased – Rohit Bajaj to commit suicide. The case has been investigated and charge-sheet has been filed.

7. Considering the contents of the case diary and the age of the applicant and also that keeping the applicant in custody till the conclusion of the trial is not going to serve any purpose, I am of the considered view that in this case the applicant deserve to be enlarged on bail.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

9. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge